

REMARKS/ARGUMENTS

Claims 2-7 have been canceled. Claim 1 and new Claims 8-16 are active in the case. Reconsideration is respectfully requested.

The present invention relates to an ethylene-vinyl alcohol based copolymer having a good long term run stability in melt molding.

Claim Amendments

Claim 1 has been amended to correct minor aspects of the language of the claim. Claims 8 and 9 are supported by the paragraph that bridges pages 4 and 5 of the specification. New Claim 10 is supported by the disclosure of the text on page 18, lines 1-8. New Claims 11 and 12 are based on a combination of scope of Claim 1 and original Claims 2 and 3, respectively. New Claim 13 corresponds to original Claim 4. New Claim 14 is a combination of original Claims 1 and 5, and new Claim 15 is a combination of original Claims 1 and 6. New Claim 16 corresponds to original Claim 7.

Claim Rejection, 35 USC 103

As to the rejection of the claims based on 35 USC 102(a and b) applicants point out the disclosures of the cited and applied '470 and 123 patents do not explicitly describe the copolymers of Claim 1, because the patents do not disclose or suggest the presence of functional groups at the copolymer terminals. Accordingly, anticipation of the present claims does not exist and withdrawal of the rejections of the claims is respectfully requested.

Appln. No. 10/551,523

Reply to the Office Action of January 14, 2008

It is believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

A handwritten signature in dark ink, appearing to read "FD Vastine", is written over a horizontal line.

Frederick D. Vastine, Ph.D.

Registration No. 27,013

NFO:FDV